

PROCLAMATION

BY THE

Governor of the State of Texas

41-2008

TO ALL TO WHOM THESE PRESENTS SHALL COME:

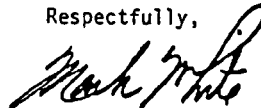
June 16, 1985

Pursuant to Article IV, Section 14 of the Constitution of Texas, I hereby veto House Bill 482 because of the following objection:

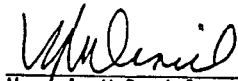
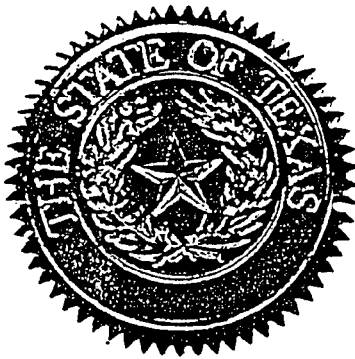
The responsibility of an executor or administrator with will annexed to defend or prosecute any proceeding to cause a will to be admitted to probate is well established and the law properly allows the executor or administrator with will annexed to be allowed out of the estate his necessary expenses and disbursements, including reasonable attorney's fees, in such proceedings. The further extension of this right to a devisee, legatee, or beneficiary could result in needless diminution of the assets of the estate and unnecessarily encourage litigation. In my view, the award of expenses, including attorney's fees to parties other than the executor named by the testator or the administrator with will annexed named by the probate court, could in many instances unduly reduce the value of testamentary shares intended for the benefit of beneficiaries not involved in challenges to the will.

Therefore, I veto H.B. 482.

Respectfully,



Mark White
Governor of Texas



Myra A. McDaniel
Secretary of State

Filed in the office of
Secretary of State

JUN 16 1985

Statutory Filings Division
Statutory Documents